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Firstsource Advantage, LLC

14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

18 GREGORY DANAHER,

19 Plaintiff,

20 vs.

21 FIRSTSOURCE ADVANTAGE, LLC,

22 Defendant.

Case no. 2:13-cv-00128-MMD-PAL

**JOINT FRCP 26(f) REPORT AND PROPOSED
SCHEDULING ORDER**

Submitted in Compliance with LR 26-1(e)

23 Pursuant to Federal Rule of Civil Procedure 26(f), Local Rule 26-1, and Court Order dated
24 March 13, 2013, and the parties' Federal Rule of Civil Procedure 26(f) Conference held on March 21,
25 2013, Plaintiff Gregory Danaher and Defendant Firstsource Advantage, LLC hereby submit this Joint
26 Rule 26(f) Report and Proposed Scheduling Order.
27
28

JOINT RULE 26(f) REPORT

- 1
- 2 **1. What changes should be made in the timing, form, or requirement for disclosures under**
- 3 **Rule 26(a), including a statement of when initial disclosures were made or will be made?**

4 No changes are necessary in the form or requirement for initial disclosures under Rule 26(a).

5 Defendant proposes that initial disclosures be made within two weeks of the scheduling conference.

- 6 **2. Subjects on which discovery may be needed, when discovery should be completed, and**
- 7 **whether discovery should be conducted in phases or be limited to or focused on particular**
- 8 **issues.**

9 Discovery should be limited to the claims and defenses set forth in the pleadings including any

10 future amended complaint(s), including but not limited to Defendant's alleged violations of the Fair

11 Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692 et seq. and the Nevada Revised Statutes

12 649.370 (NRS), including but not limited to the date, time, frequency, and subject matter of

13 Defendant's collection calls to Plaintiff as well as all written communications between the parties. All

14 Discovery shall be limited according to the Federal Rules of Civil Procedure and the Local Rules of the

15 Court. Plaintiff reserves the right and is entitled to obtain discovery regarding any non-privileged

16 matter that is relevant to his cause of action and any future amended complaint(s), including the

17 existence, description, nature, custody, condition, and location of any documents or other tangible

18 things and the identity and location of persons who know of any discoverable matter. Relevant

19 information need not be admissible at the trial if the discovery appears reasonably calculated to lead to

20 the discovery of admissible evidence.

21 The parties do not believe that discovery needs to be phased or coordinated.

22

- 23 **3. Issues about disclosure or discovery of electronically stored information, including the**
- 24 **form or forms in which it should be produced.**

25 Plaintiff has brought up with Defense Attorney Mr. Yeomans, by speaking with him on the

26 telephone and email on the 14th day of March, 2013, that there were issues regarding the need for

27 preserving discoverable information, which were detailed in an email to Defendant on the same day.

28

4. **Issues about claims of privilege or of protection as trial-preparation materials, including-- if the parties agree on a procedure to assert these claims after production--whether to ask the court to include their agreement in an order.**

Discovery of trial preparation materials is not expected although Defendant and Plaintiff reserves their right to object to the discovery of any such materials to the extent such information that is private, confidential, privileged or protected from disclosure by any constitutional, statutory, or common law privilege, protection, or limitation, including but not limited to attorney-client privilege and attorney work product privilege, conditionally limited to the extent that said objection fully comports with the Federal Rules of Civil Procedure and the Local Rules of the Court.

5. **What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed?**

There is no need to change any of the discovery limitations imposed by the Federal Rules of Civil Procedure and Local Rules although Defendants and Plaintiff reserve their right to seek such relief from the Court as may become helpful, reasonable, or necessary to these proceedings.

6. **Other orders that the court should issue under Rule 26(c) or under Rule 16(b) and (c).**

The parties propose that the Court issue an order in accordance with the dates and deadlines set forth in the Proposed Scheduling Order.

PROPOSED SCHEDULING ORDER

Last day to amend pleadings or add parties:	June 04, 2013
Expert disclosures:	July 03, 2013
Discovery cutoff:	September 3, 2013
Motion cutoff:	September 30, 2013
Pre-Trial Order:	November 18, 2013
Pre-Trial Disclosures:	November 18, 2013
Trial:	December 16, 2013

Any stipulation or motion must be made not later than August 13, 2013 - 21 days before the discovery cut-off date.

Dated: April 4, 2013

By: _____

Gregory Danaher

Plaintiff

Gregory Danaher

Dated: April 4, 2013

COOPER LEVENSON APRIL
NIEDELMAN & WAGENHEIM, P.A.

By: /s/ Gregory A. Kraemer

Gregory A. Kraemer

Jerry S. Busby

Nevada Bar No: 001107

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Nevada Bar No: 010911

6060 Elton Avenue, Suite A

Las Vegas, NV 89107

Attorneys for Defendant

Firstsource Advantage, LLC

IT IS SO ORDERED:

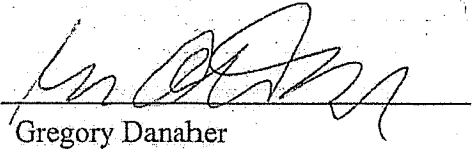
DATED: April 9, 2013


UNITED STATES MAGISTRATE JUDGE

1 Any stipulation or motion must be made not later than August 13, 2013 - 21 days before the
2 discovery cut-off date.

3
4 Dated: April 4, 2013

5 By:


Gregory Danaher

6
7 *Plaintiff*
8 Gregory Danaher

9
10 Dated: April 4, 2013

COOPER LEVENSON APRIL
NIEDELMAN & WAGENHEIM, P.A.

11 By:

/s/ Gregory A. Kraemer

12 Gregory A. Kraemer

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16 Nevada Bar No: 010911
6060 Elton Avenue, Suite A
17 Las Vegas, NV 89107

18 Attorneys for Defendant
19 Firstsource Advantage, LLC

20
21 **IT IS SO ORDERED:**

22
23 DATED: _____

24 UNITED STATES MAGISTRATE JUDGE